

REMARKS

The Office Action mailed on November 8, 2007, and the ensuing Advisory Action dated March 11, 2008, have been reviewed and the comments of the Patent and Trademark Office have been considered. Prior to this paper, claims 1, 3-5 and 7-29 were pending, with claims 12-23 being withdrawn. By this paper, Applicants add claims 30-33, and do not cancel any claims. Therefore, claims 1, 3-5 and 7-33 are now pending

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Request for Interview

Applicants respectfully request that in the event that if the PTO does not agree that the claims are in condition for allowance, Examiner Pilkington extend the courtesy of an interview to Applicants' representative prior to the generation of any next office action.

Specifically, Applicants request that Examiner Pilkington contact their representative, Martin Cosenza, at (202) 295-4747, to schedule an in-person interview to this application, prior to any next office action that is not a notice of allowance / Quayle action.

Applicants hereby submit a Request for Interview form in Appendix B.

Drawing Objections

In the November Office Action, the drawings were objected to as allegedly failing to show every feature present in the claims.

In response, in order to advance prosecution, and without prejudice or disclaimer, Applicants have amended Fig. 4(B) as shows above, and also amended claim 9 as show above, and request reconsideration.

The amendment to Fig. 4(B) introduces the angle symbol along with the identifier " θ_3 ", and clearly identifies an obtuse angle as defined by the angle between surface 18a and the tangential line L2.

Regarding claim 9, Figs. 2, 3(A), 5(A) and 5(B), show second projected portions 13b as claimed, and the amendments to claim 9 clearly overcome the objection to the drawings.

Applicants have amended the specification, as seen above, to comport with the amendment to Fig. 4(B).

Claim Rejections Under 35 U.S.C. §112, second paragraph

In the November Office Action, claims 4 and 10 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. In response, in order to advance prosecution, and without prejudice or disclaimer, Applicants have amended claims 4 and 10, and request reconsideration in view of these amendments.

Claim Rejections Under 35 U.S.C. §102

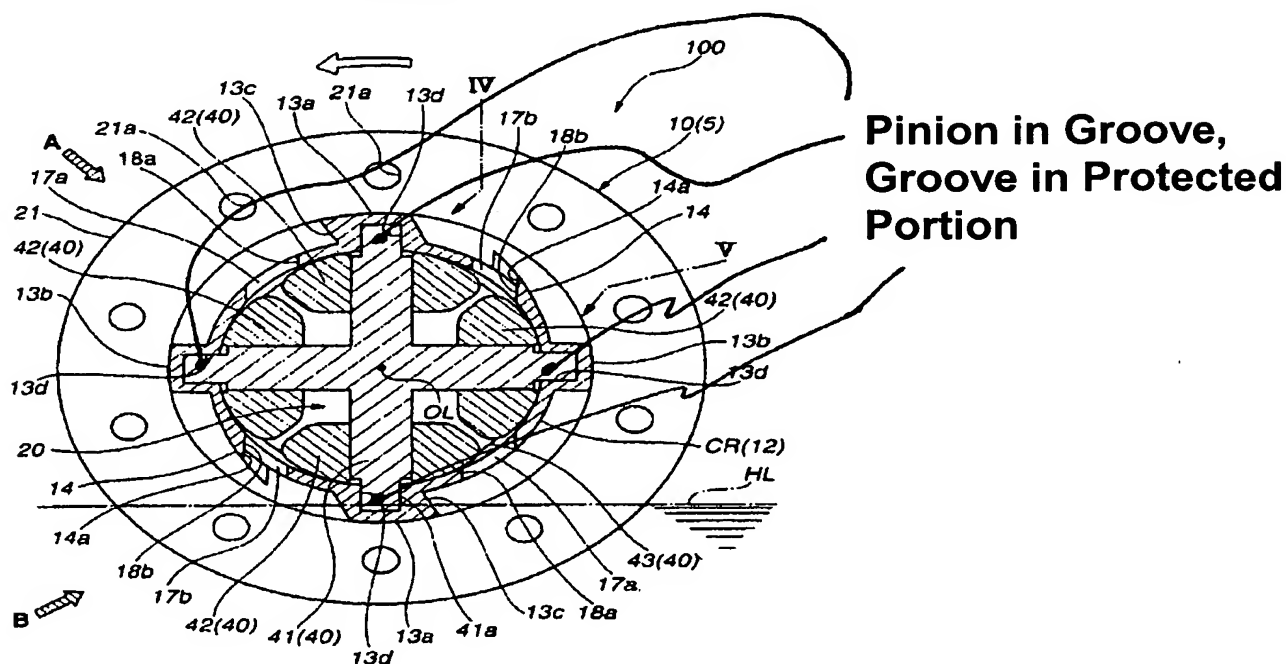
In the November Office Action, claims 1, 3-5, 7-11 and 24-29 are rejected under 35 U.S.C. §102(b) as being anticipated by Porsche (United States Patent No. 2,102,973). In response, Applicants traverse the rejection, and respectfully submit that the above claims are allowable for at least the reasons that follow.

Applicants rely on MPEP § 2131, entitled “Anticipation – Application of 35 U.S.C. 102(a), (b), and (e),” which states that a “claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Section 103 amplifies the meaning of this anticipation standard by pointing out that anticipation requires that the claimed subject matter must be “*identically* disclosed or described” by the prior art reference. (Emphasis added.) It is respectfully submitted that Porsche describes each and every element of no claim currently pending, and thus cannot anticipate any claim currently pending.

Claim 1 recites a differential for a wheeled motor vehicle that includes, as distinguishing features from Porsche, “first projected portions formed on an outer surface of the differential case at portions that support . . . pinion shafts through . . . grooves,” where, as is earlier recited in claim 1, the “grooves [are] for respectively receiving therein the pinion shafts.” In an exemplary embodiment of the present invention, as is depicted in Fig. 2, the

first projected portions 13a are formed at portions that support the pinion shafts (see the radially leading ends of pinion shafts of the pinion shaft unit 41, which protrude into cavities (grooves 13d) of the first projected portions). Below is an annotated reproduction of Fig. 2 from Applicants' application, which clearly shows the cavities (grooves 13d) in the projected portions.

FIG.2



The Office Action asserts that, referring to Fig. 4 of Porsche, element 17 (identified as a vane) corresponds to the first projected portions of claim 1 and that the openings 18 correspond to the oil inlet opening of claim 1. It is further asserted that the angle of the surface of element 17 of Porsche is an acute angle. However, the feature of “first projected portions formed on an outer surface of the differential case at portions that support . . . *pinion shafts through grooves*, where the grooves and the projected portions are defined as detailed in claim 1, is not present in Porsche. As is clear from the figure from Porsche reproduced in the Office Action, elements 17 are not hollow, and thus cannot have any grooves which receive therein pinion shafts. Accordingly, Porsche does not and cannot anticipate claim 1 for at least this reason.

This difference is no mere design choice. Instead, it represents a fundamental difference between Applicants' invention and the prior art, *which is almost three-quarters of a century old*, which greatly advances that art in a manner that has not been attempted in the intervening seven plus decades. Due to this construction, the radially leading ends of the pinion shafts are assuredly supported by the differential case (10 (5)) because of the partially thicker wall portions of the differential case (10 (5)) that are inevitably provided due to provision of the first projected portions (13a) on the differential case (10 (5)). The wall portions other than the partially thicker wall portions can be thin, which brings about an entirely thinner construction of the differential case (10 (5)). In other words, due to such construction, the entire construction of the differential case (10 (5)) can have a thinner wall while assuring or increasing the strength of bearing portions thereof that bear the pinion shafts.

Claim 1 is thus not anticipated by Porsche, and, therefore, no claim that depends from claim 1 is anticipated by Porsche.

Claim 27 is allowable for at least the pertinent reasons that make claim 1 allowable, and, accordingly, claims 28 and 29, which depend from claim 27, are likewise allowable.

New Claims

Claims 30 and 31 are added by this paper. Claim 30 recites a differential as claimed in Claim 1, in which respective cavities are present in the first projected portions forming the grooves, the cavities extending in a radial direction away from the rotation axis and terminating at a first distance from the rotation axis, the first distance being greater than a maximum distance of the oil inlet opening from the rotation axis. Claim 31 recites a differential as claimed in Claim 27, in which respective cavities are present in the first projection portions forming the grooves, the cavities extending in a radial direction away from a rotation axis of the differential case and terminating at a first distance from the rotation axis, the first distance being greater than a maximum distance of the oil inlet opening from the rotation axis.

Each of these claims explicitly recite that a cavity is present in the projected / projection portions. Claims 32 and 33 further recite that the pinion shafts are received in these cavities. Accordingly, claims 30-33 further distinguish from Porsche.

Support for the new claims may be found, among other places, in Fig. 2 of the application as originally filed.

Rejoinder of Claims 12-23

Claims 12-23 stand withdrawn. Applicants note that these claims depend either directly or ultimately from claim 1. Applicants respectfully request that these claims be rejoined and allowed due to their dependency from claim 1, a claim that is allowable. Applicants respectfully submit that no significant burden is placed on the PTO by rejoining and examining these claims. Indeed, such action is concomitant with the indication that “upon allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.”

Conclusion

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

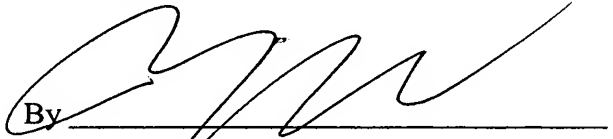
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are

needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date APR 08, 2028

By 

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APPENDIX A



ANNOTATED SHEET

FIG.4(A)

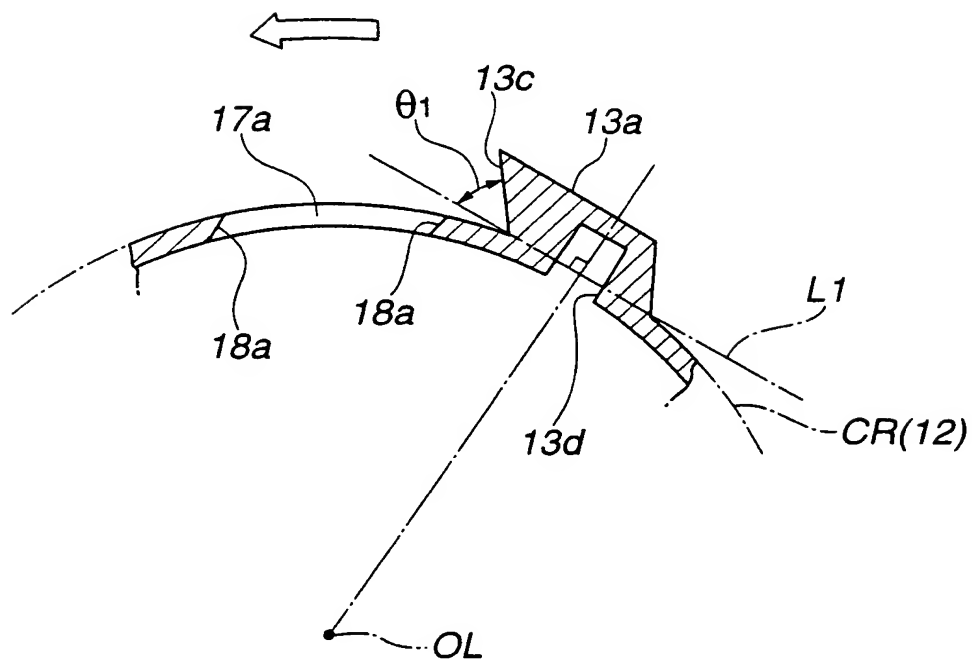
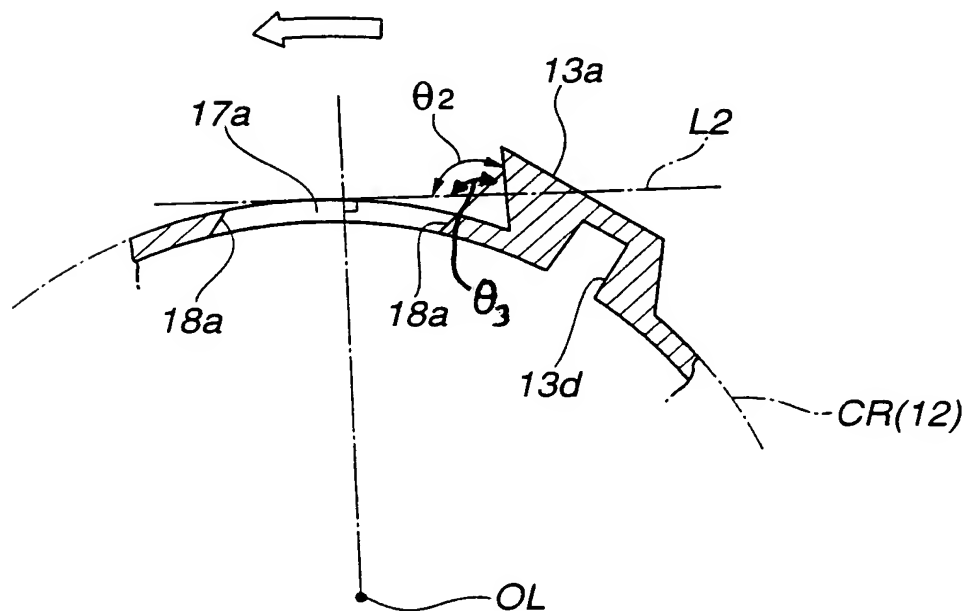


FIG.4(B)



APPENDIX B